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In re Application of:
Small et al.
Serial No.: 09/692,077
Filed: October 19, 2000
Attorney Docket No.: 13105

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on October 28, 2004, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed March 11, 2004.

A review of the file history shows that the examiner mailed a non-final Office action to applicants on March 11, 2004, setting a three-month statutory time period for reply. On September 22, 2004, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a response to the Office action was timely filed on September 13, 2004 as evidenced by a copy of the date-stamped receipt card. In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED**. The application is restored to pending status with the mailing date of this decision and will be forwarded to the examiner for consideration of the response of September 13, 2004.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Jasemine C. Chambers
Director, Technology Center 1600